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From-PILLSBURY WINTHRP

T-006 P.001/004 F-218

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Intellectual Prop rty Group of Pillsbury Winthrop LLP Attorneys at Law P.O. Box 10500 McLean, VA 22102

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In re PATENT A	PPLICATION of										
Inventor(s)	tice et al.		Group Art U	nit. 1630							
Appln. No. 09			Examiner:	711: 1632 T. Ton							
<u>series code</u> Filed:	î î <u>serial no.</u> September 13, 1999		Arty. Dkt.	PW 275963							
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	Cloning Pigs Using Cells or Nuclei Fro	<i>Donor</i> om	Date: Sep	tember 11, 200	2						
	Differentiated Cell	ls (Somatic									
	or Germ Cells) and	Production									
	of Pluripotent Porc	cine Cells									
	by Nuclear Transfer	-									
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Inventor(s) Stice et al. Appin. No.: 09	394,902			Examiner					
Series Code 1	394,9U2 Serial No. 个			Atty. Dkt.	P <u>0275963</u>				
Filed: September 13, 1999				Appin Title	Mar e: Ckoning Pigs L	Client Ref	-11		
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REPLY/AMENDME	NT/LETTER			Date	e: September 11,	.'002			
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D. Made previously (Pat-256)	amendment				E		Lg /Sm		
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3. Independent Claims		***minus	0	0	x \$84/\$42 =	+ \$0	102/202		
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9 If Terminal Disclaimer attached, a	add Bula 20(d)	official for			Extension Fee	+ \$0	San Roll		
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11. After-Final Request Fee per rules	129(a) and 17(r) .		auu	+ \$180 + \$740/370	ļ. <u>.</u>			
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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Steven L. STICE et al.

Group Art Unit: 1632

Application No. 09/394,902

Examiner: Thain N. Ton

Filed: September 13, 1999

Title: CLONING PIGS USING DONOR CELLS OR NUCLEI FROM DIFFERENTIATED CELLS (SOMATIC OR GERM CELLS) AND PRODUCTION OF PLURIPOTENT

PORCINE CELLS BY NUCLEAR TRANSFER

SUPPLEMENTAL REPLY

Hon. Commissioner of Patents Washington, D.C. 20231

Sir:

This reply is supplemental to the Amendment and Reply filed June 6, 2002, in response to the Office Action dated December 6, 2001, and is responsive to the Office communication mailed August 22, 2002, requesting additional response to the obviousnesstype double patenting rejection stated in the Office Action of December 6, 2001.

Further in response to the obviousness-type double patenting rejection stated in the Office Action of December 6, 2001, the Applicants submit the following:

Regarding Rejection of the Claims for Provisional Obviousness-type Double Patenting:

Claims of the application are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No.s 6,235,969 and 5,945,577. Applicants respectfully request that this rejection be held in abeyance until allowance is negotiated. At that time, if the claims in the instant application

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are still deemed to be obvious in view of the claims of the issued patents, Applicants will

submit a terminal disclaimer to obviate this rejection.

The Applicants' affirm that a terminal disclaimer will be submitted when the claims in

the instant application are found to be allowable, but for the outstanding obviousness-type

double patenting rejection over claims of U.S. Patent Nos. 6,235,969 and 5,945,577. If

additional response to the obviousness-type double patenting rejection is required, or if the

Examiner has any further questions or issues to raise regarding the subject application, it is

respectfully requested that she contact the undersigned so that such issues may be addressed

By:

expeditiously.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: September 11, 2002

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